

## FAIR TRIAL DIRECTIVES<sup>18</sup>

83.III.01: *Court Personnel.* All Court supporting personnel, including, but not limited to, marshals, deputy marshals, court clerks and office personnel, bailiffs, court reporters, and employees or subcontractors retained by the Court or the Marshal, and the judge's office personnel, are prohibited from disclosing to any person, without authorization by the Court, information relating to a pending civil case that is not a part of the public record of the Court which has been filed and served on the parties to the proceeding. Further, all such personnel are forbidden to divulge any information concerning arguments and hearings held in chambers or otherwise outside the presence of the public or in the case of jury trials outside the presence of the jury.

83.III.02: *Attorneys.*

- (A) Except to the extent necessary to prepare a case, all lawyers are prohibited from disclosing to any person, without authorization by the Court, information relating to a pending civil case that is not a part of the public record of the Court which has been filed and served on the parties to the proceeding. Further, all such persons are forbidden to divulge any information concerning arguments and hearings held in chambers or otherwise outside the presence of the public or in the case of jury trials outside the presence of the jury.
- (B) Nothing contained in these rules shall prohibit a lawyer from making a statement that a reasonable lawyer would believe is required to protect a client from the substantial undue adversely prejudicial effect of recent publicity not initiated by the lawyer or the lawyer's client. However, any statement made pursuant to this paragraph shall be limited to such information as is necessary to mitigate the recent adverse publicity.

83.III.03: *Copies of Public Records.* Any person may obtain copies of public records from the Clerk of Court upon payment of copying fees. Representatives of federal agencies may obtain copies without charge.

83.III.04: *Conduct of Judicial Proceedings.* In any case, the Court, on motion of either party or on its own motion, may issue a special order governing such matters as extrajudicial statements by parties and witnesses likely to interfere with the rights of the parties to a fair trial by an impartial jury, the seating and conduct in the courtroom of spectators and news media representatives, the management and sequestration of jurors and witnesses, and any other matters which the Court may deem appropriate for inclusion in such an order.

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<sup>18</sup> Fair trial directives relating to criminal matters are more extensive and may be found in the Local Criminal Rules.

83.III.05:       *Photographing and Reproducing Court Proceedings.* The taking of photographs and operation of tape recorders in the courtroom or its environs and radio or television broadcasting from the courtroom or its environs, during the progress of or in connection with judicial proceedings, whether or not court is actually in session, is prohibited. The Court may, however, permit: (1) the use of electronic or photographic means for the presentation of evidence or the perpetuation of a record; and (2) the broadcasting, televising, recording, or photographing of investitive, ceremonial or naturalization proceedings.